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| **From:** | McKenna, James (Jim) |
| **To:** | Eric_Blischke/R10/USEPA/US@EPA; jeremy_buck@fws.gov |
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| **Subject:** | Sturgeon Decision |
| **Date:** | 02/21/2007 03:40 PM |

Eric and Jeremy:

The LWG will agree to accommodate NOAA's collection of 10 sub-legal sturgeon for the purpose of practicing blood draws, with the following conditions:

This will not require the LWG to modify the existing FSP to cover this additional request, because LWG feels that this is outside the scope of the agreed upon FSP and not part of the RI/FS work.

NOAA will intitiate and coordinate all aspects of the permit modification process, and will provide a copy of the written approval of the modification to LWG prior to any practice blood draws.

Practice blood draws may be done on no more than 10 sub-legal size sturgeon, and all sturgeon must be released. NOAA will take responsibility for any dead sturgeon that result.

The blood drawn, 10ml per fish, may be analyzed by NOAA provided sufficient quantity is gathered; LWG should have access to any data generated as a result of this analysis, but will not be required to incorporate any of this data into the RI/FS.

LWG will not be paying for any NOAA staff time for this or other non-CERCLA related (I.e., work that is not directly related to the RI/FS activities associated with this sampling effort).

We hope these conditions are acceptable to the agencies.  The LWG is open to accommodating non-CERCLA related work proposed by  EPA and/or its partners, as long as it does not adversely impact our ability to fulfill responsibilities and tasks per or Order with EPA.  Receipt of non-CERCLA related requests after an FSP is approved makes it quite difficult for us to evaluate whether there will be adverse impacts on scope, schedule and cost for the CERCLA work.  We appreciate future non-CERCLA requests to be raised during the development of the respective FSP.  Thanks, Jim.